IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

TAKEN UP WRIT PETITION NO : 24095 of 2004

Between:

D. Veerabrahmam Achary, S/o Late D. Satyanarayana Achary, 32, Meenakshi Nagar, Berhampur - 760 002, Ganjam District, Orissa State.

..... PETITIONER

AND

1 The Divisional Manager, M/s Oriental Insurance Company Ltd,
Station Road, Berhampur Post, Ganjam District, Orissa State.
(R1 IS DELETED AS PER COURT ORDER DT.

23-12-2004)
2 The Chairman, Motor Accidents Claims Tribunal (Addl. District Judge), Srikakulam, Srikakulam District.
3 S. Rajasekhar, Advocate, District Court, Srikakulam, Srikakulam District.
4 Rajani Kant Nayak, Advocate, Berhampur, Ganjam District, Orissa State.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order, direction, or a Writ, more particularly one in the nature of Writ of Mandamus to call for records and remarks from the Respondents herein, relating to (1)deposit of Rs. 93,000/- (Rupees Ninety Three Thousand Only) by the M/s Oriental Insurance Company Limited, Berhampur Post, Ganjam District, Orissa State in favour of the Petitioner herein as per the Award in O.P.No. 212 of 1993 dated 4-12-1995 passed by the Motor Accidents Claims Tribunal, Srikakulam, (2) Submission of an affidavit by the Petitioner herein through registered post, before the Motor Accidents Claims Tribunal, Srikakulam Seeking withdrawal of the entire said award amount along with interest, and to pass appropriate orders directing the concerned authorities to pay the award amount to the Petitioner herein to perform the marriage of his second daughter and to pass such other or further Orders.

Counsel for the Petitioner : PETITION

Counsel for the Respondent No.2: SMT. M. BHASKARA LAKSHMI, SC FOR APHC.

Counsel for the respondent Nos. 3 & 4: None appeared.

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

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1 . Learned counsel for 2nd respondent has placed on record the communication addressed by the Chairman, Motor Accidents Claims Tribunal-cum-I Additional District Judge, Srikakulam, to Registrar (Judicial) stating that balance amount, including interest, of Rs.1,65,448=00 is lying in fixed deposit and a letter has also been addressed to D.Veerabrahmam Achary to appear and collect the amount from the Court by filing permission petition.

2. It is stated that D.Veerabrahmam Achary has to appear before the Tribunal to collect the amount by moving appropriate application.

3. Let the petitioner apply to the Chairman, Motor Accidents Claims tribunal, for withdrawal of the amount, which will be paid only in the name of the claimant by the Accidents Claims Tribunal. Petition stands disposed of. No costs.

4. Copy of the order along with the communication dated 2nd February, 2005, of Chairman, Motor Accidents Claims Tribunal-cum-I Additional District Judge, Srikakulam, be served upon the petitioner.

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DEVINDER GUPTA. C.J.,

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B. SESHASAYANA REDDY. J.,

Dated: 14.02.2005.

VRK.

To

1. The Chairman, Motor Accidents Claims Tribunal (Addl. District Judge), Srikakulam, Srikakulam District.
2. The Officer concerned, Public Interest Litigation Cell, High Court Buildings, Hyderabad.

3. The Secretary, A.P. State Legal Aid & Advisory Board, High Court Buildings, Hyderabad.

4. The Secretary to Government of A.P., Home Department, Secretariat, Hyderabad.

5. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE B. SESHASAYANA REDDY.

W.P.NO. 24095 OF 2004.

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 14.02.2005.

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